York. *Held*, that the Maine decree is not a bar to the action. *Rontey* v. *Rontey*, 166 N. Y. Supp. 818.

A decree rendered at the domicile of the libellant — when not also the matrimonial domicile — upon mere constructive service of the libellee is not binding on other states by virtue of the "full faith and credit" clause of the federal Constitution. *Haddock* v. *Haddock*, 201 U. S. 562. But *cf. Ditson* v. *Ditson*, 4 R. I. 87. But most states recognize such a decree on principles of comity. *Gildersleeve* v. *Gildersleeve*, 88 Conn. 689, 92 Atl. 684; *Felt* v. *Felt*, 59 N. J. Eq. 606, 45 Atl. 105, 49 Atl. 1071; *Howard* v. *Strode*, 242 Mo. 210, 146 S. W. 792; *Shafer* v. *Bushnell*, 24 Wis. 372. *Contra*, *People* v. *Shaw*, 259 Ill. 544, 102 N. E. 1031. New York, however, has consistently refused to recognize the extra-territorial validity of such decrees. *People* v. *Baker*, 76 N. Y. 78; *Tysen* v. *Tysen*, 140 App. Div. 370, 125 N. Y. Supp. 479. In the principal case the court asserts that even where the husband was justified in separating from the wife, the state of the husband's new domicile cannot render a decree binding on other states. This view seems untenable, for it is the law even in New York that when the wife is at fault her domicile follows that of her husband. *Hunt* v. *Hunt*, 72 N. Y. 217; *Loker* v. *Gerald*, 157 Mass. 42, 31 N. E. 709. *Contra*, *Chapman* v. *Chapman*, 127 Ill. 386, 21 N. E. 806. See J. H. Beale, "Domicile of a Married Woman," 2 So. L. Quar. 100. And clearly a decree at the domicile of both parties is entitled to "full faith and credit" in other states. *Cheever* v. *Wilson*, 9 Wall. (U. S.) 108. The New York court admits the validity of this reasoning where the wife abandons the husband without cause. *North* v. *North*, 47 Misc. Rep. 180, 93 N. Y. Supp. 512; aff'd, 111 App. Div. 921, 96 N. Y. Supp. 1138. No sufficient reason appears for distinguishing from that case one where the wife, by her cruelty, gives the husband cause to separate from her. *Cf. Gleason* v. *Gleason*, 4 Wis. 64. The result may be supported, however, since the court fortifies its conclusion by finding that in fact the allegation of the wife's cruelty was untrue. The contrary determination of this fact by the Maine court is not binding on the New York court when the domicile of the wife and, as a result, the validity of the Maine decree are in question. *Haddock* v. *Haddock*, *supra*.

Constitutional Law — Due Process of Law — Limitation of Police Power — Prohibition of Employment Agencies. — A Washington statute made it a crime to take a fee from any person seeking employment for furnishing him with employment or information leading thereto. *Held*, that the statute violates the due process clause of the Fourteenth Amendment. *Adams* v. *Tanner*, 37 Sup. Ct. Rep. 662.

It has long been settled that a business may be prohibited and property confiscated without infringing on due process where the object is to secure the health or safety of the community. *Slaughter-House Cases*, 16 Wall. (U. S.) 36; *Mugler* v. *Kansas*, 123 U. S. 623; *Austin* v. *Tennessee*, 179 U. S. 343. The power of a state to forbid and suppress any business or use of property injurious to the morals of the community is also well established. *Booth* v. *Illinois*, 184 U. S. 425; *Otis* v. *Parker*, 187 U. S. 606; *Murphy* v. *California*, 225 U. S. 623. Legislation prohibiting a particular kind of business, not intrinsically harmful, because of the tendency to defraud the public in its exercise, has likewise been held constitutional. *Powell* v. *Pennsylvania*, 127 U. S. 678; *Plumley* v. *Massachusetts*, 155 U. S. 461. *Contra*, *People* v. *Marx*, 99 N. Y. 377. See Freund, Police Power, § 62. Anti-trust laws, avowedly interfering with the liberty of contract, enacted to further the general economic welfare of the community, have also been held not to violate the due process clause. *National Cotton Oil Co.* v. *Texas*, 197 U. S. 115; *Northern Securities Co.* v. *United States*, 193 U. S. 197. Finally, the Supreme Court went so far as to hold that statutes in effect prohibiting the sale or use of trading stamps

are a valid exercise of the police power. *Tanner* v. *Little*, 240 U. S. 369; *Rast* v. *Van Deman & L. Co.*, 240 U. S. 342. By these decisions the Supreme Court was thought to have committed itself to a liberal view of the power of a state to legislate in the interest of the economic welfare of the community. See 29 HARV. L. REV. 779. But in the principal case the court seems to have retraced its steps. The decisions in the trading stamp cases have been greatly weakened, if not completely overthrown. The principal case in effect decides that the mere enhancement of the economic welfare of the community is not sufficient reason for depriving a man of the liberty to follow any calling he may choose to engage in. If a proper interpretation of due process requires this conclusion, that is unfortunate. On the basis of prior decisions alone, the particular statute involved might well have been sustained as a reasonable measure for the prevention of fraud. *Cf. Powell* v. *Pennsylvania*, *supra; Burdick* v. *People*, 149 Ill. 600, 36 N. E. 948. But aside from this, it is doubtful whether the right of individual liberty has ever been construed to be free from limitation by reasonable enactments in the interest of the common welfare. See *California Reduction Company* v. *Sanitary Reduction Works*, 199 U. S. 306, 318; *Barbier* v. *Connolly*, 113 U. S. 27, 31. Whether or not a particular statute is reasonable must then depend on the enormity of the evil and the fitness of such legislation to afford a remedy. See *McCray* v. *United States*, 195 U. S. 27, 64; *Adams* v. *Tanner*, *supra*, 666. Prohibiting a particular business, however, generally involves a destruction of private property as well as an interference with personal liberty. *Dent* v. *West Virginia*, 129 U. S. 114. And it is at least doubtful whether the enhancement of the general prosperity of the community should be held sufficient cause for depriving one, without compensation, of property acquired under the sanction and protection of the law. See *Wynehamer* v. *People*, 13 N. Y. 378. But if, as in the principal case, private establishments are in effect legislated out of existence, their business to be taken over by public agencies, compensation to the owners may well be required, on the ground that such legislation involves an exercise, not of the police power, but of the power of eminent domain. *Cf. Commonwealth* v. *Boston Adv. Co.*, 188 Mass. 348, 74 N. E. 601. See MCGEHEE, DUE PROCESS OF LAW, 205.

CONSTITUTIONAL LAW — IMPAIRMENT OF OBLIGATION OF CONTRACTS — CHANGE OF REMEDY — APPOINTMENT OF SPECIAL TAX COLLECTOR. — Plaintiff secured a judgment against a county on county bonds. When the bonds were issued a statute required that one person be appointed to collect all county taxes. A subsequent amendment permitted the designation of a separate collector to collect special taxes levied to satisfy such a judgment. *Held*, that the amendment violates the constitutional prohibition against impairing the obligation of contracts. *Hendrickson* v. *Apperson*, U. S. Sup. Ct. Off., No. 427 (1917).

It is clear that an obligee has no vested right to any particular remedy merely because that remedy existed when the contract was made. *Sturges* v. *Crowninshield*, 4 Wheat. (U. S.) 122. It is equally clear that a state cannot deprive one of all means of enforcing his rights under an existing contract. *White* v. *Hart*, 13 Wall. (U. S.) 646; *Louisiana* v. *Police Jury*, 111 U. S. 716; *Goodale* v. *Fennell*, 27 Ohio St. 426. But as to how far the remedy may be rendered less effective by subsequent legislation, the law is in considerable confusion. See BLACK, CONSTITUTIONAL PROHIBITIONS, § 133 *ff.* Some courts have held that the remedy may be made appreciably more tardy and more difficult to pursue without impairing the obligation of the contract. *James* v. *Stull*, 9 Barb. (N. Y.) 482. *Cf. Oshkosh Waterworks Co.* v. *City of Oshkosh*, 109 Wis. 208, 85 N. W. 376, aff'd, 187 U. S. 437. While other courts have held that the substituted remedy must be as speedy and efficacious as the old one. *Townsend* v. *Townsend*, Peck (Tenn.) 1; *March* v. *State*, 44 Texas 64. The